APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,242	09/09/2003	Mun Choon Chan	29250-001000/US	4055

32498   7590   12/20/2007
CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC
P.O. BOX 1995
VIENNA, VA 22183

EXAMINER
PHAM, BRENDA H

ART UNIT	PAPER NUMBER
2616	

MAIL DATE	DELIVERY MODE
12/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *09/01/07*.

2. ☒ The allowed claim(s) is/are *2-6, 8-12, renumbering as 1-10, respectively*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit
    of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☐ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

BRENDA PHAM
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

I.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Attorney John E. Curtin, Reg. No. 37,602 on December 10, 2007.

II.   The application has been amended as follows:

1.   (Canceled)

2.   (Currently Amended) A method for maximizing the throughput of

Transmission Control Protocol/Internet Protocol ("TCP/IP") data comprising the

steps of The method as in claim 1 further comprising the steps of:

receiving an [[the modified]] acknowledgement (ACK) packet that includes

a receive window value that has been modified, by an intermediate node, based

on estimated delay and rate variations associated with at least one wireless

link;

comparing a [[the]] receive window value within the modified

acknowledgement packet to a congestion window value;

selecting the lesser of the receive window value and congestion window value; and

transmitting an amount of data toward the wireless link based on the selected value.

3.   (Currently Amended) The method as in claim 2 [[1]] wherein the receive window value comprises a number of packets.

4.   (Original) The method as in claim 3 wherein the number of packets is substantially within the range of 1 kilobyte to 64 kilobytes.

5.   (Currently Amended) The method as in claim 2 [[1]] further comprising:

determining whether a data buffer is substantially close to empty;

determining whether the delay and rate variations [[variances]] have substantially changed; and

storing one or more ACKs when said buffer is not substantially close to empty or when said variations [[variances]] have not substantially changed.

6.   (Previously Presented) The method as in claim 5 further comprising

modifying the receive window value of an ACK packet when said buffer is

substantially close to empty or when said <u>variations</u> [[variances]] have

substantially changed; and

transmitting the modified ACK packet containing the modified receive

window value to a source of TCP/IP data when said buffer is substantially close

to empty or when said <u>variations</u> [[variances]] have substantially changed.

7.   (Canceled).

8.   (Currently Amended) <u>A system for maximizing the throughput of</u>

<u>Transmission Control Protocol/Internet Protocol ("TCP/IP") data comprising a</u>

<u>data source for</u> ~~The system as in claim 7 further comprising a data source for~~:

receiving <u>an</u> [[the modified]] acknowledgement <u>(ACK)</u> packet <u>that includes</u>

<u>a receive window value that has been modified, by an intermediate node, based</u>

<u>on estimated delay and rate variations associated with at least one wireless</u>

<u>link</u>;

comparing <u>a</u> [[the]] receive window value within the modified

acknowledgement packet to a congestion window value;

selecting the lesser of the receive window value and congestion window

value; and

transmitting an amount of data toward the wireless link based on the

selected value.

9.   (Currently Amended) The system as in claim 8 [[7]] wherein the receive window value comprises a number of packets.

10.   (Original) The system as in claim 9 wherein the number of packets is substantially within the range of 1 kilobyte to 64 kilobytes.

11.   (Currently Amended) The system as in claim 8 [[7]], further comprising a wherein the radio network controller for [[further]]:

determining [[determines]] whether a data buffer is substantially close to empty;

determining [[determines]] whether the delay and rate variations have substantially changed; and

storing [[stores]] one or more ACKs when said buffer is not substantially close to empty or when said variations [[variances]] have not substantially changed.

12.   (Previously Presented) The system as in claim 11, wherein the radio network controller further:

modifies the receive window value of an ACK packet when said buffer is substantially close to empty or when said variations [[variances]] have substantially changed; and

transmits the modified ACK packet containing the modified receive

window value to a source of TCP/IP data when said buffer is substantially close

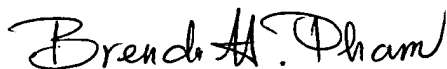to empty or when said variations [[variances]] have substantially changed.

Conclusion

III.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn D. Feild, can be reached on (571) 272-2092.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

December 10, 2007
Brenda Pham

BRENDA PHAM
PRIMARY EXAMINER